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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,472	01/31/2002	Sara Lynn Leslie	SLA 1128	3534

7590

10/04/2005

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EXAMINER

AYELE, MARIO

ART UNIT PAPER NUMBER

2622

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/066,472

Applicant(s)

LESLIE, SARA LYNN

Examiner

Mario Ayele

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1, 3, 5-7, 9-10, 12-13, 16, 18-19 and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Estavillo et al. (US 2002/0046238).

Regarding **claim 1**, Estavillo et al. discloses requesting from a computer connected printer a pre-printing screen-display preview of a document which has been sent by the computer to that printer (paragraph 0055-0056), generating in the printer a collection of print-control data which exactly defines how the document that has been sent to the printer will look when printed and which will be employed by the printer to print the document (paragraph 0057, lines 5-17), communicating the print-control data collection to the screen-display device, and on the basis of said communicating,

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displaying on the screen in the screen-display device an exact visual preview of the subject document (0057, lines 8-17).

Regarding **claim 3**, Estavillo et al. discloses in a printer, generating a collection of print-control data which will be used by the printer directly to print the document, before printing that document, using that collection directly to create, on a display screen which is operatively associated with the printer, a preview display which shows how the printed document will look after printing (paragraph 0057, lines 5-17).

Regarding **claim 5**, Estavillo et al. discloses a printer connected to a computer which is also operatively associated with the display screen, and which has instructed the printer to generate the collection of print-control data, and conveying a copy of that data from the printer to the computer (paragraph 0049, lines 1-4).

Regarding **claim 6**, Estavillo et al. discloses utilizing a computer which is associated with a display screen, sending from the computer to connected printer instructions regarding the printing of a document (paragraph 0053, lines 6-8), in the connected printer, receiving these instructions and generating from such instructions a collection of print-control data which is useable by the printer to print the document, before printing that document, sending back to the computer from the printer the generated print-control data collection, in the computer, creating on the associated display screen a user-viewable, true-preview document display based directly upon the sent-back collection of print-control data, which display shows exactly how the printed document will look after printing (paragraph 0057) .

Regarding **claim 7**, Estavillo et al. discloses sending a print instruction data stream to a printer (figure 4), within the printer, creating from that print-instruction data stream a print-control data collection which is effective directly to implement a related printing operation, before implementing such a printing operation, sending a copy of the print-control data collection to a screen-display viewing instrumentality, displaying on that instrumentality a true preview of what the printed document would look like if printed on the basis of the print-control data collection (paragraph 0057, lines 14-17)

Regarding **claim 9**, Estavillo et al. discloses requesting such a preview from the printer (paragraph 0023(paragraph 0053, lines 6-8)), by initiation from the printer, producing an electronic screen-display surrogate of that document which substantially exactly shows how the printer will print the document (paragraph 0022, lines 4-6).

Regarding **claim 10**, Estavillo et al. discloses from a document-creating application in the computer structure creating a document (paragraph 0054, lines 6-7), and with reference to the created document, sending a set of related document-printing instructions from the computer to the printer (paragraph 0053, lines 6-8), in association with the said sending, requesting from the printer a print-preview display (paragraph 0053, lines 6-8), in the printer, on the basis of such sent instructions, generating a collection of document print-control data which the printer will directly use to print the created document, and in response to the print-preview display request, sending back to the computer structure a print-preview data stream based exactly upon the generated print-control data collection, and through cooperative interaction between the computer structure and the screen-display device, creating on the screen-display device from that

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sent back data stream a true print-preview display which exactly shows what the printer will print from the associated, underlying print-control data collection (paragraph 0057 4-17).

Regarding **claim 12**, Estavillo et al. discloses wherein the printer includes an integrated controller and a print engine, the controller functions to receive and interpret such sent document-printing instruction, and to generate, and ultimately to send to the print engine, the mentioned print-control data collection, and the sent back print-preview data stream is directly derived from the controller-generated data collection (paragraph 0026, lines 3-7).

Regarding **claim 13**, Estavillo et al. discloses wherein the printer further includes a data-storage device operatively connected both to the controller and to the print engine, and this data storage device is operable to receive, capture, and retransmit on request, the controller-generated data collection. (Figure 2, element 201(engine), 202 and 203(controller), 204 (memory); figure 5, element 501)

Regarding **claim 16**, Estavillo et al. discloses in association with requesting a print-preview display, (b) instructing the printer to handle related document data in a selected state of data compression and/ or bit depth (paragraph 0057, lines 11-13).

Regarding **claim 18**, Estavillo et al. discloses computer structure (figure 1, element 101) armed with a document-creation application (paragraph 0054, lines 6-8) a hard-copy printer operatively connected to said computer structure (figure 1, element 100), a screen-display device having a screen display operatively associated both with said computer structure and with said printer (figure 1, element 102), and print-preview

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enabling structure operatively associated with said computer structure and with said printer, enabling, in relation to the proposed printing by the printer of a document that has been created in the computer structure within the application, and sent to the printer, a user request that the printer effectively send to said screen-display device, for displaying on its screen, data relating to a true image showing how the printer will actually print to hard copy the sent document so created within the application (figure 1, 102; paragraph 0049, lines 13-19).

Regarding **claim 19**, Estavillo et al. a screen-display device is separate from computer structure and printer. (Figure 1)

Regarding **claim 23**, Estavillo et al. discloses input structure adapted to receive document-printing instructions from a connected computer (figure 2, element 202; paragraph 0053, lines 6-8), interpretation structure operatively connected to said input structure, operable to effect the generation, from such received instructions, of a print-control data collection which is directly useable by the printer to print a related document (figure 2, elements 203, 204; paragraph 0053, lines 8-13), and output structure operatively connected to said interpretation structure, operable to effect the generation, from such received instructions, of a print-control data collection which is directly useable by the printer to print a related document, and output structure operatively connected to said interpretation structure, operable, on request, to convey a copy of such a data collection to a connected computer for the purpose, *inter alia*, of enabling the computer to create a true preview display of the actual document which will

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be printed if and when the printer utilizes the data collection to print a document (figure 2, elements 206 and 207; paragraph 0053 lines 13-17).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 4, 8, 11, 22, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Estavillo et al. as applied to **claims 1, 3, 7, 10, 18, 23** above, and further in view of Hori et al (US 6260946 B1).

Regarding **claims 2, 4, 8, 11, 22, and 24**, Estavillo et al. does not explicitly disclose a printer that forms part of an MFP device. However, Hori discloses a setting wherein the printer forms part of MFP device (Figure 1). At the time of the invention it would have been obvious to include a MFP device for reasons of doing a variety of tasks aside from only printing, such as scanning, copying, and faxing.

Claims 14, 17, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Estavillo et al.

Regarding **claims 14 and 20**, Estavillo et al. discloses the computer structure and the screen-display device together form portions of an integrated computer. Official notice is taken that it was well known in the art at the time of invention to combine together a computer structure and screen-display to form an integrated computer. It would have been obvious to combine together a computer structure and screen-display to form an integrated computer for reasons of portability and compactness.

Regarding **claim 17**, Estavillo et al. discloses generating by the controller a print-control data collection which is effective directly to control the printer's print engine in the printing of a document, and prior to printing, conveying that data collection appropriately for the generation of a pre-printing preview screen display of the intended document (paragraph 0053, lines 9-17). However Estavillo et al. fails to disclose, generating by the controller a print-control data collection which is effective directly to control the printer's print engine in the printing of a without further data manipulation document, "without further data manipulation". It would have been obvious not to further manipulate the data because the print-preview reflects exactly what is printed.

Claims 15 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Estavillo et al. as applied to claims 10 and 18 above, and further in view of Hirashima et al.

Regarding **claims 15 and 21**, Estavillo et al. does not explicitly disclose a screen-display device is incorporated in a printer. However, Hirashima et al. discloses a

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screen-display device incorporated in a printer (paragraph 0040). It would have been obvious at the time of invention to incorporate a printer and screen-display device into one unit for purposes of eliminating hardware and cost to accomplish the device's job.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mario Ayele whose telephone number is 571-272-0624. The examiner can normally be reached on Monday through Friday 8:30 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mario Ayele
Examiner
Art Unit 2622

MA


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